

October 13, 2023

**BY ECF**

Hon. Valerie E. Caproni  
United States District Court for the Southern District of New York  
40 Foley Square, Room 443  
New York, New York 10007

*Nike, Inc. v. StockX LLC*, No. 22 CV 983 (VC) (SN)

Dear Judge Caproni:

Pursuant to Your Honor's Individual Rule 5(B)(ii), Defendant StockX LLC ("StockX") and Plaintiff Nike, Inc. ("Nike," and together with StockX, the "Parties") respectfully submit this joint letter requesting the sealed treatment of the Parties' *Daubert* motions to exclude proffered expert testimony (the "Motions").

In support of the Motions, the Parties each cite to material that has been designated confidential pursuant to the Stipulated Protective Order in this case (Dkt. No. 52), including expert reports and the transcripts of expert depositions.

As required by the Stipulated Protective Order, the Parties are filing portions of the Motions and corresponding exhibits under seal, along with redacted public versions where appropriate. *See Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) ("[C]ourts in this District routinely seal documents to prevent the disclosure of a party's confidential or competitively sensitive business information."); *Regeneron Pharms., Inc. v. Novartis Pharma AG*, 2021 WL 243943, at \*1 (S.D.N.Y. Jan. 25, 2021) (collecting cases).

In order to permit the Parties an opportunity to review the opposing Party's motion and exhibits, and confer with their clients regarding any necessary sealed treatment, the Parties jointly request that the Court approve the following schedule for exchange and filing of proposed redactions: (1) the Parties shall exchange proposed redactions for their confidential information by Wednesday, October 18, 2023; (2) the Parties shall each file, under seal, their final proposed redactions with the Court by Friday, October 20, 2023, along with a publicly-filed brief justifying sealed treatment.

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Respectfully submitted,

/s/ Tamar Y. Duvdevani

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